

REMARKS

Claims 1-4, 6-12 and 14 are pending in this application.

The specification and claims 1 and 8 have been amended, and claims 5 and 13 have been cancelled without prejudice or disclaimer of the subject matter contained therein. Reconsideration of the application, as amended, is respectfully requested.

Claims 1-4, 6-12 and 14 stand rejected under 35 USC 102(e) as being anticipated by BARBAS et al., U.S. Publication 2002/0097672 A1. This rejection is respectfully traversed.

Applicants gratefully acknowledge that the Examiner considers claims 5 and 13 to contain allowable subject matter. Without conceding the appropriateness of the Examiner's rejection, but simply to expedite prosecution of this application, it is noted that the limitations of objected-to but allowable claims 5 and 13 have been incorporated into independent claims 1 and 8, respectively. Accordingly, all claims should now be in condition for allowance. Reconsideration and withdrawal of the 35 USC 102(e) rejection are respectfully requested.

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

Because the additional prior art cited by the Examiner has been included merely to show the state of the prior art and has not been utilized to reject the claims, no further comments concerning these documents are considered necessary at this time.

In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Joe McKinney Muncy, #32,334

KM/asc  
0941-0410P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000